G. R. S. IX-5]

Previous references.

261-14 821-13

1914.

(Mug)

File No

Serial Nos.

14 to

Later references.

Mug 5-27-5-18

GENERAL AND REVENUE SECRETARIAT.

Mug. 159-52-1-2

Serial Nos.

Part B for January 19

SUBJECT.

Restoration of inam S. No. 273 of Hadinaru village Nanjangud Taluk to Gachi Mutt Mysore

D.C. Mysore No. 1717-D8-1-19

allowing the appeal re —

W D 1250—GPB—30,000 28-1 19

G. E. S. III—1] 1914.

GENERAL AND REVENUE SECRETARIAT.

(Muzrai)

NOTES.

File No. 261-1914

FILE HEADING.

Registration of inam S. no 273 of Hadinare Village in the Nanjangud Taluk to Sachi matt at Mysore.

From

The Dy. Commr, Mysore Dist

No. 216 Dated 26.5.1914. Received

Diary No. 2064	Enclos. 1 file	Spare Copies. —	Serial No. 11

BRIEF ABSTRACT OF LETTER.

Submits further report called for in his no 2855 of 13th June 1916, about the tenure of lands endowed to Sachi matt at Mysore

NOTES AND ORDERS.

Muz. J. no. 261-14 No 1-13 relating to the lands of the Sachi matt at Mysore, is put up. The facts of the case are given at sufficient length in the office note of the collection — Sridara Putta Basavaraj urs of Mysore, and

NOTES—First Sheet.

WD 1232—GPB—20,000—18.11.16

WD 1233—GPL—60 000—1 12-16—S

G. R. S. III-2]

General and Revenue Secretariat

File No 261 of 1914.

Serial No

B

certain ryots of Hadinaru village appeals to Govt against the order of the Dy. Commr, Mysore Dist, directing that S. no. 273 of Hadinaru village be returned from the apltS and restored to Sachi hatt. The contention of the apltS is that the assessment on the lands is inam to the math, while the math contends that the lands are inam to the instn and that it is entitled to the increased profits from the land. The case was heard by the then member Mr K. S. Chandrasekhara Aiyar, and as both the parties contended that they had documents calculated to throw light on the character of the tenure of the lands, the case was remanded to the Dy. Commr with a view to his directing the Sub Divl Officer to take such additional evidence as may be offered by the parties and submitting the same to Govt with his opinion (vide S.O. no. 2855 dy 13.6.1916).

A

The Dy. Commr has submitted his further report with the records of enquiry.

Mr A. Krishna Iyengar, ASstt Commr of Nanjangud Sub-Division

TE—Contn. sheet.

WD 1233—GPB—60,000—1 12-16—S

G. R. S. III-2]

General and Revenue Secretariat. File No. 167 of 191

Serial No.	
	has conducted an elaborate enquiry, and after an examination of the contending parties and their witnesses, as well as the documents produced in the case, holds that the applts (or their predecessors in title) are Kadim tenants and that the matt is entitled only to receive the assessment on the lands endowed. The Dy. Commr concurs in the opinion of the Asstt Commr—
15.	Inna, Basappa Devaru, Agent of the matt Petition dy 18.6.17 but received on 23.6.17 Complains that ngt endorsements and other papers produced by him before the Taluk enquiry, have neither been returned to him nor admitted as exhibits in the enquiry held by the Asstt Commr, and that his pr request for an extension of time to produce some copies of documents from the Survey Dept has not complied with.
	The petition is addressed to the Hon'ble Member. The Member's order on the petition: " Refd with a note"
	As regards the petrs Complaint about certain records, it will be seen that the

tn. sheet.

WD 1233—GPB—60 000—1 12-16—S

Serial No

peta does not clearly say when and before whom, he produced them. It will however be seen from the recs that with his keypetyat dated 11th Decr 1913 before the Tahsildar Amritsar, he has produced some angl. endts, copy of a title deed and other papers which are in Urdu in the records.

As for the extension of time to produce certain other documents, it will be seen that the Opposite has presented a similar petition to the Dy Commr complaining against the Sub-Divl officer, and in para 3 of the letter under disposal, the Dy Commr reports that the parties have had ample time since the date of the Govt order of 13th June 1916, and that he does not consider that this request is reasonable.

May the case be posted for hearing, notices being issued to the contending parties?

Submitted for orders.

W (S.W.) 20.7.1917

21/7/17

The question is one between

NOTE—Contn. sheet

WD 1283—GPB—60 000—1-12-16—S.

5

G. R. S. III-2]

General and Revenue Secretariat.

File No. 261 of 1914.

Serial No.

Landlord and tenant. Respondent seems to have requisitioned the transfers by lessees and the prevailing rents.

H) The lease now subsiding, passed by respondent's predecessor cannot be treated as an unauthorised alienation, to remedy which the present tenants could be ousted.

F) 2) The order of 25.2.65 directing putting Natt Guru in possession of lands was passed after the succession affair was settled; the contents of the said order indicate that the land was being cultivated by ryots. In carrying out that order very likely the enjoyment of tenants was not disturbed (vide copy of diary 1866-67) — The finding that the tenants are Kadim tenants is correct. They were paying at the money valuation prior to survey; and they are now liable to pay enhanced rent according to §86 LR Code. — There does not seem to have been any suit for enhancement of rent under §88 LR Code.

3) The case was represented by counsel in the Dist Court & there was full opportunity for both parties to represent

NOTE—Contn. sheet

WD 1233—GPB—60,000—1-12-16—S.

6

G. R. S. III-2]

General and Revenue Secretariat.

File No. 261 of 1914.

Serial No.	
	their case. the case may be posted for hearing. Seen) (V. member) WS 23/7/17 lee 26.7.17
428/31.7	VG-1 Cases sent WS 31/7 10/7
	Mr. V. Narasimhaiengar for Mr. K. Ramadoss iengar for appt.; Respondent present. Respt prays for an adjt — Case adjd Date will be intimated later on. BO WS 21/8/17
	Counsel for both parties present. Respondent present. — Mr. Krishnaswamiengar files one document. — Arguments heard. — Orders reserved. BO. WS 25/9/17.
1446/8/10.	Judgment in this suit is ready. Copies of the Respts. have been sent to the Pltffs. & vice versa on 1-10-17 & on 5-10-17. There are three enclosures accompanying the petition which have not been returned
S. T 2253/7.12.17	

Copies

AO(1) to 2-5-10-17

tm sheet.

2861

ND 1233—GPL—60 000—1 12-16—S.

(7

G. R. S. III-2]

General and Revenue Secretariat. Mauz File No. 261 of 1914.

Serial No.

[illegible]

16/12/17

DS 16/12/17.

Draft
[illegible]
22 12 17

[illegible]

[illegible] 4.1.18

SD 5-1-18

Approved
DS 7/1

sheet.

MD 1213—G I L—CC CCC—1 12-16—S.

(8

G. R. S. III-2]

General and Revenue Secretariat.

File No. 261 of 191 4

Serial No	
16.	To, The Dy. Commr, Mysore Dist, Letter no 1600 Dt 22 1 1918 Calls for further detailed report directed by the First member of Council in pages 6 and 7 of the office note.
17	From, Basappa Devaru of Sakrimatt, petition Dt 22-1-1918 Complains that the order of Govt directing the attachment of the produce of the inam lands pending disposal of the appeal, has not been given effect to by the authorities below though the respt repeatedly applied for the same being made, and prays that the produce may be attached immediately. The petition ~~is~~ was presented to the II nd member of Council. The memorandum thereon is as follows:— "My secretary. Please see the records and do the needful; intimating to me action taken on the petition." The connected files are submitted as directed by the My secretary. The petr is the respondent in this case which has not been finally disposed of in the present petition. The Statement that Govt directed "The attachment of the produce

tn. sheet.

ND 12 5—G 1 1—60 COC—1 12-16—S.

(9

G. R. S. III-2]

General and Revenue Secretariat.

File No. 267 of 1914

Serial No

of the lands pending disposal of the appeals." Contrary is wrong.

Under orders of the Cabinet members, the Dy. Commr has been asked to stay execution of his order, "the appts being allowed to remove the crops on the lands on furnishing securities binding themselves to pay the Govt Govt's share of the crops to the result of the pending in appeal should be adverse to them". (Vide Letter no 1349 Dy 23 12 1914 in my collection of 7 no 261-16) - the reasons for the stay order are given in my Secret note in pages 3 and 4 of the office note

The Stay order has been given effect to by the Dy. Commr (Vide Letters no. 292 Dy 20. 1 1915).

Submitted for orders.

AR(S3) 23.1.1918

Seen 25.1.18

Subs 25/1/18

Is there anything to show that tangible securities have been obtained by us? Call for early information inviting attention to the letter of 23.12.14

25.1.18

25/1/18

NOTE—Contn sheet

MD 1203—G P L—60 CCC—1 12-16—S

G. R. S. III-2]

10

General and Revenue Secretariat.

File No. 267 of 1914

Serial No.

There is nothing to show whether tangible securities have been actually obtained from the applts
Submtd. with a D/L. as directed
AV 25-1-1918
25/1/18
Approved
Issue and Submit

28/1/18

18 No: 1713 dt 28.1.18, Dy Ex. of Mysore, with his ltr No: 1349 dt 23.12.17 deals for wider extended powers regd to be taken from the Inam Commr in Inam matters

The entire file is submitted. The II Addl member has directed that the action taken on Sl. 17 (Petition from the Agent of Gachi matt) should be intimated to him (vide Page 8 of the office-note)
AV(53) 30.1.1918
30/1/18
Secy)
Subd.
28.
30/1/18.

When the stay of execution was ordered, the Dy Comr was desired to obtain tangible securities from

2673/31.1.18

Contn. sheet.

MD 1211—G11 —GC CCC—1 12 16—S.

G. R. S. III-2]

General and Revenue Secretariat

File No. 261 of 1914.

Serial No	
	the appellants to safeguard the respective interests in case he should win in the appeal. The latter moves for an attachment which in the circumstances cannot be granted. appeal when called for
	(1st member) Before Hon 31-1 18
	28/4/18 In a contravened. Leo 4 2 18
	28/4/18 Submitted with a copy of the order for appeal 5/7/18
	AG 5. 2. 1918 Approved 28/4/18
19	To, Basappa Devaru of Sachi Mail Cust no 2007 Dy 18 2 1918 Communicates the substance of 8C. 18.
20	From, Basappa Devaru. Petition Dy 2. 2 1918. States that the case is pending from the year 1907 when it first cropped up, that he has contracted heavy debts to keep the worship going on in the matt, and prays

n. sheet

MD 1233—GPL—60 CCC—I 12-16—S

Serial No.

That pending final orders, one-third of the produce of the land may be made over to the Watt

Submtd. for orders.
AV
20.2.1918

Put up DO reminder to Dy Comr for reply to Sl 16

KS
21/2/18

Submtd with dft reminder

Approved
KS.
5/3/18

21. From, the Dy Commr, Mysore Dist
Letter no. 125 Dt 19.3.1918

Submits further report on the allegations contained in the petitions of Basappa Olvara of Suki Watt.

The Dy commr present report furnishes full information on certain queries raised in Sl 16.

In para 4, the Dy. Commr reports that certain copies of documents refd to in the petitions and said to be available in the Taluk Record, have been called for from the Amildar, and they will

WJ 1233—GPB—60 000—1 12-16—S

G. R. S. III-2)

13

General and Revenue Secretariat.

File No. 261 of 1914

Serial No.

be forwarded on receipt.
May the receipt of further report with record on the subject be awaited? (Vide paragraph 4 of letter under disposal)
Submitted
AV 3.4.1918 3/4/18

Yr. Received every fortnight
be
3.4.18
6/4/18.

22 From Basappa Devaru of Jac. Petition Dy 6.4.1918
Submits for being admitted as exhibits, 4 authenticated copies of documents, and requests that the records may be obtained from the Dy. Commr., on perusal of which, the inam lands under dispute may be restored to the att.
The petition is addressed to the First member of Council. The member's order thereon is as follows:—
"Bring these on record. Has the further "report called for from the Dy. Commr "some months ago been received"
The Dy. Comm's report has been

sheet.

V P 1233—GPI —60 000—1 12-16—S

(14

G. R. S. III-21

General and Revenue Secretariat.

File No. 261 of 191

Serial No.

received, and the receipt of the documents promised in para 4 of the Dy Comm's. letter is awaited

Submitted for orders.

AY 17.4.18

17.4.18 Sabe

First Member

KB 17/4/18.

3795 21.4.18

Some time has been already considerable delay in disposing of this appeal. The D.C. should be requested to expedite his report & bring connections up to date if necessary.

Sabe

22/4

23 From, the Dy Comm^r, Mymensingh Dt^t, Letter no 144 Dy 18 4 1918

Reports with ref to Sl 18, that the cultivators have given undertakings binding themselves to pay the land lord's share of the crops to the Govt if the finding in appeal should be adverse to them

Further report promised in Sl 21 is awaited

Submitted

Sabe

KB. 25/4/18.

Keep case in diary and [illegible] further report is received

Put up on 25.5.18 KB. 2/5/18

sheet.

G. R. S. III-2]

General and Revenue Secretariat. Army File No. 261 of 191 6.

Serial No.	
24	From, the Dy Commr, Mysore Dist, Letter no 164 Dt 28 5 1918. Submits 4 civil from the Sub Divl officer stating that the documents refd to in para 4 of the Dy. Commrs letter no 125 Dt/19.3.18 (Sl. 21) are not available in the Taluk records. Submd. AG 6/6/18 6/6/18 Secy) 6/6/18 If approved the Case may now be posted for final hearing 1st Member) 7.6.18 I agree that for reasons given marginally, it is very desirable that the case should be re-heard. Under the Rules of Business it is for the Revenue Member, then the case may be submitted for orders. 10/8/18 Secy Revenue)

Note—Contn. sheet

Note these documents have been received after closing the case and an opportunity may have to be given about the hearing of reply thereto brief precis of the documents produced is put up herewith Sec 10/6/18

Read 14/6 13/6/18

WD A 1789—GPB—60 000—20 3 18—S.

G. R. S. III-2]

General and Revenue Secretariat. GR&S File No. 261 of 1916

Serial No.

Submd for favour of orders
Ker

8/12/16 Extra member) 12.8.16

Where is the necessity for re-hearing the parties? They have been heard already what is more they have been allowed to produce further exhibits also after the closing of the case. At this rate the case will be interminable. Case not ripe for hearing first here, and cannot be disposed of without a fresh hearing. Early please

Peel
16.8.16.

Subsequent to the date of the last hearing a number of documents has been allowed to be produced by the Respts and was placed on the record under the orders of the Member. Some at least of the documents in question appear to be relevant to the points in issue and if they are to be imported into the consideration of the case, both the parties will have to be given an opportunity, one to

NOTE—Contn. sheet.

A 1789—GPB—60,000—20 8 16—S.

G. R. S. III-2]

General and Revenue Secretariat.

Mwz File No. 261 of 1914

Serial No

point out the connection and the inference and the other explanation after hearing. Under the circumstances, it seems appear that a date for further hearing may have been given

(Extra number) Lch 19.8.18

18-07
19.8 Mr.

Highwood Hon. Let the case be posted for hearing here. There will be no necessity for any further adjournment

Lch
19.8.18

Lch
19-8-18

KD.
19/8/18.

Notice to Co. & Contents with Petition.

The principal appellants & the respondents were present & also represented by Counsel.

The Counsel for the (Mr. M.C. Kanekar) appellants stated the case for his clients at great length & ably and contended that his clients were Kadim tenants & ordinary tenants at will & that as such they were not liable to the ejectments. He argues further & stated that even if the

NOTE—Contn. sheet

G. R. S. III-2j

General and Revenue Secretariat. File No. 261 of 191 4.

Serial No.

him was not accepted, his right cannot be disturbed in their possession of the lands since they have enjoyed uninterrupted adverse possession for twelve years and more. The appellants had never questioned the title of the respondent as manager of the mutt. His landlordship of late only extended so far as to treat them as tenants and subject them. They have been paying the assessment from their very there has been no notice. They therefore pray that they may be kept in undisturbed possession & enabled as had in tenants.

The case for the respondent was opened by Mr. B S Krishnaswamy Iyer. & he then proceeded that his client had under the terms of the original Sanad of 1827. the full rights of a landlord. That such rights had been exercised in divers ways in the past, that the appellants were really tenants at will & liable to ejection & that they had continued only by sufferance. The respondent also argued on his own behalf. After hearing the arguments post poned & perusing the documents on which the

ntn. sheet.

G. R. S. III-2)

General and Revenue Secretariat. File No. 201 of 191 4.

Serial No.

parties have their respective views the impression created upon my mind is (1) that the lands granted under the Sanad of 1827 were occupied under (2) that the grantee - i.e. Manager of the suit property - Exercised his right only to the collection of the revenue due to him (3) that though there were differences at times between the landlord & the tenants and in consequence changes hands on certain occasions the appellants & their predecessors in title continued as tenants (4) that though the nature of the payment of revenue varied from time to time. Yet there is no evidence of tenancy at the instance & under the authority of the landlord (5) that the appellants & their predecessors in title have been in uninterrupted enjoyment of the suit from the time of the grant in 1827. It is also a strange as well as significant circumstance that there should have been no transactions of any importance for the period from 1836 to 1907. in which latter year the present suit was instituted by the respondent. who he had been Manager for nearly nine years by that time. The respondent threw doubt on the genuineness of certain exhibits produced by the appellants on

Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. Muz File No. 261 of 191 4

Serial No.

Hey - i.e. the documents are not such as would in any way, whether in case. To sum up, I am of opinion that the respondent, like the Inamdar is in no way prohibited from the right of [illegible] in any way to the appellants are barred in terms of their unregistered mortgage for nearly seventy years ago, & the respondent, as much as we wished to the revenue decision is not in question & does not prevent by the Sp at will

L. 12 13

5/12/18

Submitted with a Dft order

12 12 18

13/12

13/12/18

Seen)

Ordered for farther hearing

Appeal. The documents & proceedings have been returned

2405. 55
17-12-18

sheet.

Dont appear

20 12 18

20/12/18

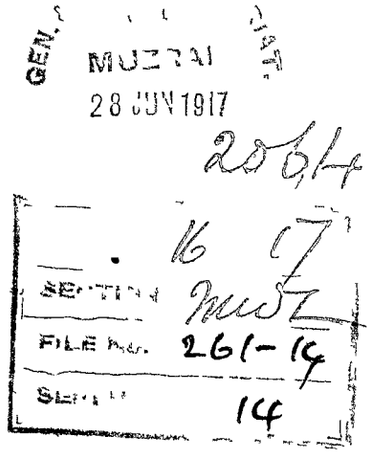
WD A 1789—GPB—60,000—20-3 18—S.

GIB—100,000—29 7 14

1916-17

From

The Dy Commissioner
Mysore District



To

The General Secretary
to Govt
Immigration Branch
Bangalore

Dated 25th June 1917

Despatched 26th June 1917.

Received

General No.
No.

Enclosure No.

Submits report re lands endowed to Gustelli Mutt, in the Nanjangud Taluk

Office of the Deputy Commissioner, Mysore Distt

Dated, Mysore, 25th June 1917.

From

K. Matthar, Esquire, B.A.,

Deputy Commissioner,

Mysore District.

To

D.V. Narasinga Rao, Esquire, B.A., B.L.,

Secretary to the Government of His

Highness the Maharaja of Mysore,

General Department, Bangalore.

Munzrai branch

Sir,

Adverting to your Memo No. 2855/Muz.261-14-13 dated 13th June 1916 regarding the Gutchi Matt Case for directing the Sub Divisional Officer to take additional evidence and calling for a report with my opinion, I have the honor to submit herewith in original the correspondence ending with the Nanjangud Sub Division Officer's No. 73/ dated 29th May 1917 and to state that I concur with the opinion of the Sub Division Officer that the appellants (or their predecessors in title) are kadim tenants, and that the Mutt is entitled only to receive the assessment on the lands endowed.

2. One witness was examined for the opponent viz, the Head of the Mutt. The evidence given by him and the documents produced do not support the Mutt's claim. The most important point brought - out is that in the year 1879 the Superintendent of the Ashtagram Division ordered that the Mutt should be placed in possession of the inam lands and that the produce which had been held in 'amanat' should be handed over to the Mutt. But from the exhibits filed on behalf of the petitioners it is abundantly clear that this order

did

did not really come into effect and that the petitioners' claim will also extend to the loan tenants and only paying assessee.

2. After the receipt of the records from the Deputy Commissioner, the counsel for the petitioner filed on 16th June 1917 certain documents and the matter was given time to produce certain records connected with the case. The matter was finally heard on 2nd July 1918, when I do not consider it to be necessary for the petitioner to produce the same. The matter has been pending ever since the case of the Government Order of 1st June 1918, was passed.

I have the honour to be,

Sir,

Your most obedient servant,

[illegible]

Assistant Commissioner,

for Deputy Commissioner,

Income Tax Department.

(Appellate Division)

ks

127
18 29
Mewar
261-11-
Mewar

11/7/18
Mewar
Mewar

8/
10.7

14.6.14 0825

ಮಾಡಿಸಿಕೊಂಡು ಬಂದಿರುವ ಸಂಗತಿಯನ್ನು ಕೇಳಿ ಅವನಿಗೆ ಬಹಳ ಸಂತೋಷವಾಯಿತು. ಅವನು ಅವಳಿಗೆ ಹೇಳಿದ್ದೇನೆಂದರೆ, ನೀನು ಮಾಡಿಸಿಕೊಂಡು ಬಂದಿರುವ ಸೀರೆಯನ್ನು ಉಟ್ಟುಕೊಂಡು ಬಾ ಎಂದು ಹೇಳಿದನು. ಅವಳು ಅದನ್ನು ಉಟ್ಟುಕೊಂಡು ಬಂದಳು. ಅವಳು ಅದನ್ನು ಉಟ್ಟುಕೊಂಡು ಬಂದಾಗ

G. R. S. VI—G/32]

SUBJECT..... Inams report about the case of the Jamabandi Inam Atti. A.D. Nanjangud.

Diary No. of letter replied to.....2064.....

GENERAL AND REVENUE SECRETARIAT,
( )
, *the* 191 .

Date of issue.....22.1.18.....

Signed by.....H.T.H. Sadasiva Rao

Section nung
File No. 261-14
Serial No. 16

No.

To

The Dy Commissioner,
Mysore District

Sir,

Adverting to correspondence ending with your letter no 216 dy 26th June 1917 reporting on the original character of Inam S. no. 273 of Hadinaru Village Nanjangud Taluk, endowed to Gowli matt at Mysore, I am directed to state that this case was heard ~~before Court~~ on 25th Sept. 1917

over.

Subsequent to the closing of this
case, the Respt. Basappa Devaru
The accompanying (with their enclosures)
~~has~~ sent, two petitions, nos. 1158
and 1159 dated 1st octr and
octobeer 1917. ~~which are forwarded~~
There are ~~four~~ 3 enclosures accompanying
The ~~fourth~~ Four which he says he
was not able to produce before
the Sub Divl. Officer, Nanjanpd,
at the time of his enquiry.
And in the petition dated
5th octobeer 1917, he refers to
certain documents, Copies of
which he applies for to the
Dy. Commr but was not
able to get. He also refers
to certain exhibits which he
produced before the lower
Courts but were not returned
him and are reported
lost.
Some of the allegations
against the District and

List of enclosure

Copied by

Examined by

WD 86—GPB—60,000—15-11 16

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

No. 1600. D. 22-1
2nd J. 261-14-16.

Encls. 1 file of 1 bundle containing exhibits etc with petition No. 1600.

To be returned

Sub Divn officials in this petition are rather serious. I am to request that you will be so good as to submit a report thereon together with copies of such of the documents as are referred to in the petition and are available in the District or Taluk records. I am to add that an explanation from the Sub Divl officer as to the missing exhibits produced by the petr before his Court, may be obtained and sent up.

The entire records are herewith returned for reference and re-submission.

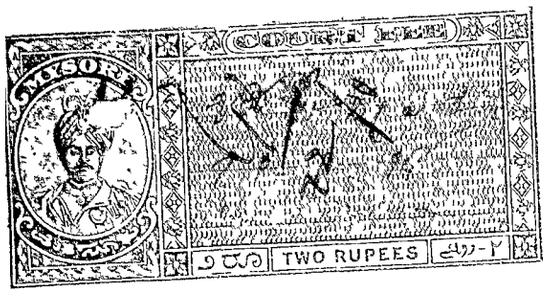
I have etc

5/1/18

For joint Secy

Munz. Dept.

DR/
5/1/18



Ex. G.P. No. 17.13 — 8/2/1

2 Re Stamps Encd - nil 23/1/18

Before the Government of Highness Maharaja of Mysore

Miscellaneous appeals 5 and 6 of 1914-1915 4 of 1917-1918

261-14 17

Appellants	Respondent
Puttabasavaraya & others	Basappa Diwan of Gajji matt

The respondent begs to state as follows

1 The said appeals are in connection with the lands endowed on the Gajji matt in the village of Hadinaru, Nanjanagud Taluq -

2 The respondent has been paying the Kandaya of the said lands while the lands are in the possession of the appellants who contest the matt's right to the lands

3 This honourable court has ordered the attachment of the proceeds of the said lands pending disposal of the abovementioned appeals, but that order has not been given effect to by the authorities though the respondent

respectfully applied for the same being done

4 The appln respondent humbly begs, therefore, that the produce of the lands in controversy may kindly be ordered to be attached immediately, pending disposal of the appeals in question

ಪ್ರತಿವಾದಿಯವರ ಸಹಿ

The respondent Basappa Devaru solemnly declares that what is stated above is true to the best of his knowledge information and belief

ಪ್ರತಿವಾದಿಯವರ ಸಹಿ

G. R. S. V1—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to ...1275...

Section Revenue

File No. 261 14

Serial No.

GENERAL AND REVENUE SECRETARIAT

( )

, *the* 191 .

No.

Date of issue 28 1 18

To

Signed by Wm. M. Sadasiva Rao.

The Dy Commr,
Mysore Dist

Sir,

In forwarding herewith petition regd. no. 1275 dy 22d January 1918 from Basappa Devaru, respt in Revenue appeal no. 4 of 1914 relating to the alienation from the Gachi matt at Mysore, of certain inam lands in Hadinaru Village of the Nanjangud Taluq,

I am directed to invite attention
~~reference~~
to this office Communication no
1349 dy 23rd December 1914,
and to request to be informed
whether as directed ~~there~~ therein,
tangible securities have been
obtained from the applts
(Mr. Putta Basava Rajurs & others)
before permitting them to
continue in possession of the
inam lands in question.
If the favour of a very early
reply is requested

I have &c,

DA

for Joint Secretary
and
Dist Magr

List of enclosures.

Copied by

Examined by

WD86- GPB—60,000—15 11 16

2007

mu2

[illegible]

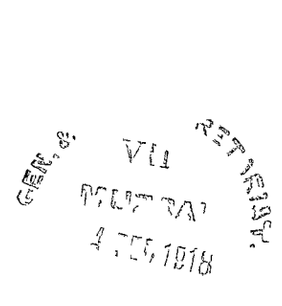
[illegible]

[illegible] 1273
22/1/18

[illegible]

[illegible]

[illegible]



Before the Government of His Highness the
Maharaja of Mysore

Muzrai Appeals 5 and 6 of 1914, 1915
and 4 - 1917-1918

Appellants	vs	Respondent
1 Puttabasavaraje Urs 2 Smti Mallu 3 Madu + Others		The Gachi Mutt at Hadinaru, Nanjangud Taluq, by manager Basappa Basappa

The respondent begs to state as follows,

1 Certain lands enjoyed on the said Gachi Mutt by His Highness Sri Krishnaraja Wodeyar III Bahadur, Maharaja of Mysore are claimed by the appellants to be theirs subject to payment of a fixed rent to the Mutt

2 The lands have been enjoyed on the Mutt for feeding travellers resting in it and for the upkeep of the [illegible]

3 The appellants have been wrongfully in possession of the lands to the great prejudice to the objects of the said Endowment

The litigation between the appellants and the Mutt in respect of the [illegible] commenced in the beginning of the year 1907, and since

than the respondent has with great difficulty been managing the institution by borrowing moneys for the purpose

5 The appeals in question were heard by Government about 3 months ago, and the respondent hears that they have been remanded to the lower court for further Enquiry

6 The respondent humbly prays that pending disposal of the appeals one third of the produce of the lands may be ordered to be paid over to the math conditionally as, otherwise, it is not possible to carry out the objects of the endowments any longer

ಶಿಷ್ಟ-ಬಿಎಂಶಿಯವರಿಗೆ ಹೇಳಿಕೆ

B S Krishnaswamy Iyengar
advocate for respondent

1917 18

From

The Deputy Commissioner,

Mysore District.

To

The Joint Secretary to

Government, Muzrai Dept

1594

Dated 18th March 1918.

Despatched 19th March 1918

Muzrai

Received

General No. Diverse Offices

No.

Enclosure No. Two Petitions

Submits report on the allegations contained in the petitions presented to Government by Rao Sahib Venkatarama Chettiar for years.

Office of the Deputy Commissioner,

Mysore District,

Dated, Mysore, 18th March 1918.

From

K. Matthan, Esq., B.A.,

Deputy Commissioner,

Mysore District.

To

G. Aravamudu Iyengar, Esq., B.A., B.L.,

Joint Secretary to the Government of

His Highness the Maharaja of Mysore,

Muzrai Department, Bangalore.

Sir,

With reference to your letter No. 1600 M.F.261-14-16 dated 22nd January 1918, calling for a report on the allegations contained in the petitions Nos. 1158 and 1159 dated 1st and 5th October 1917 presented to Government by Respondent Basappadevaru of Gachimatt at Mysore, I have the honour to state as follows:--

2. As regards the allegations made against the Sub Division Officials in the petition dated 5th October 1917, and the missing of exhibits produced by the petitioner before the Court of the Sub Division Officer, I have the honour to submit in original a yadi No. 753 dated 8th February 1918, received from the Sub Division Officer of Nanjangud. The Sub Division Officer states that no such exhibits were produced by the petitioner before his court and that he cannot give any explanation in the matter. The petitioner does not appear to make the allegation that any exhibits produced before the Sub Division Officer are missing, and there are also no allegations made by him against the Sub Division Officials.

3. The allegations made against the District Officials appear to be unfounded. Both the petitioner Basappadevaru and the opponent Sirdar Puttubasavaraju Urs were suspecting each other of bringing unfair influence to bear on the District Office Record [illegible] complained to me once or twice that the staff was par-

partial to the opposite side. But I have no reason to think that this is true. The remarks of the Head Record Keeper on the petitioner's allegations and a statement furnished by him showing the copies of records applied for and granted to the petitioner on his applications presented to this office are appended. The petitioner's application to this office dated 27th December 1916 containing my orders thereon are also enclosed for perusal.

4. Copies of the documents referred to in the petition and said to have been available in the Taluk Records are reported to have been called for from the Tahsildar of Nanjangud and they will be forwarded on receipt.

5. The entire records received with your letter under reply are herewith resubmitted.

I have the honour to be,

Sir,

Your most obedient servant,

Asst. Commissioner
For Deputy Commissioner,
Mysore District.
(ATSENT FROM STATION).

H.N.

NWR
261-14
22
కాగితాలు

మైసూరు రెసిడెంసీ కోర్టు వారి సివిల్ అప్పీలు నంబరు 5. 1916-17.

అప్పీలు వాది

మైసూరు రెసిడెన్సీ ఆఫీసరు వారి తరపున రాజకీయ ఏజంటు మేజరు ఎఫ్. ఎ. వుడ్ ఐ. ఎ.

అప్పీలు ప్రతివాది

మైసూరు రాజ్యపు ప్రధాన కార్యదర్శి వారి తరపున ఆ రాజ్యపు ప్రధాన న్యాయాధికారి

అప్పీలు ప్రతివాదియు ప్రార్థనా పత్రము

ఈ అప్పీలు కోర్టు వారు ఈ క్రింది విధంగా ఆజ్ఞాపించవలసినదిగా ప్రార్థన

ముందిన క్రమము జరగవలసిందిగా కోరుచున్నాము.

Exhibit.D. 1848 నాటి ఇనాము విషయమై నన్ను తాలూకా కచేరీకి రమ్మని ఆజ్ఞాపత్రము

ఒడెయరు మైసూరు అప్పు గ్రామపు తాల్లోకు కచేరీకి రమ్మని ఆజ్ఞాపత్రమిచ్చి

మాదేగౌడనుండి తన్ను జవితాను విడిపించుకొనవలసిందిగా పన్నేరి ఒకటవ కోరి

దరఖాస్తు ఉంది. **Exhibit.E.** 1848లో అప్పు గ్రామపు ఉపఉపకులాధిపతి

చేంజింట క్యాప్టెన్ మంగ మూరి రావు సాహెబరవరికి నన్ను తాతందిరు బి

నవర్షంగ ఒడెయరు జాగీరారు శ్యాము మాదేగౌడనుండి తన్ను జవితానను

విడిపించుకొనవలసిందిగా వ్రాసియిచ్చిన ఆజ్ఞాపత్రము ఈ అప్పీలు మో

సాలు అమలాధికారులకి మాడిరవర్మ ఆర్డరును సుకాంబరిసిన ఆ

యుత్తరవుల మీదనల్లి ఇక్కడి అప్పీలు వేశ్యవాగు స్త్రీ

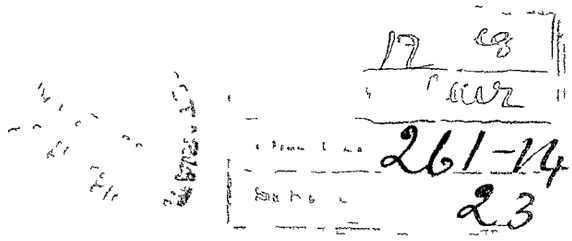
Exhibit.F. 1851లో నన్నయ్యోడ్డ్ నవరు శివలింగదుపగ
అష్టగ్రామద భూవరిం చేండెంట పంగ వారియ నాతోబరవ
గి అవుల్వారర మీరి బరెదు హొండెరువ అజ్ఞయొందు మత్తు
Exhibit.G. 1865లో అష్టగ్రామద డివిజన్ భూపరిం చేయుండ
ట్ ఇలియ టోమాస్‌బరపరిగె నవ్వు మరద మ్యానేజరు జమళ్ళి
అంగడి జళ్ళ జ్ఞానవరు నవ్వు మరద గరణాల శుట్టువళింవ
న్ను కొడిసికొడబేకేందూ, శ్రీశరింద జమీను బిడిసికొడబే
కేందూ వగ్గేరె బరెదు కొండెరువ అజ్ఞయొందు. ఈ మీళ్కుంత అ
జ్ఞగళన్ను వరాంబరసిదల్లి వ్యాజ్యద జమీను గళు నన్న
నువర్ధనల్లే ఇద్దువేంబుదు వ్యర్థవాగుత్తదే. మీళ్కుంత వా
గళన్ను నానూ ఇద్దు బందు రాజస్వాధలు నవగి 1½ రంగళిం
ద న్యాయవాదిగళూ వాయిలియాగి వీళువుదక్కాగదష్ట నిర్వా
ణ వాగిదియూద్దరింద బరలు అవకాశవిల్ల. ఆదుదరింద వాపం
చరవరు ఈ వాదిగళన్నూ రత్నగిరిగే కళిసికొళ్ళువుదల్లదే, ఇతర వా
దిగళన్ను ఈ డిస్ట్రిక్ట్‌నింద తరిసికొండు హోగువాదజ్ఞక్కే కారణ
కొండు ఈ దీవాణాయద ఇనాం మిరియన్ను మత్తే బిడిసికొ
ట్టు ఉద్ధార మాడబేకేందు రాథిగి బరెదు కొండ అరువాల్
అజ్ఞప్తి రాష్ట్రాపి

తా॥ 6-4-18

W D. 6244—GPB—6,00,000—19 5 16—S.

1917 18

1792



From

The Deputy Commissioner,

Mysore District

To

The Joint-Secretary to Govt.,
Mazrai Department,
Bangalore.

Dated 18th April 1918

Despatched 18th April 1918.

Received

General No 6
No.

Enclosure No.

Submitting further report on the Inam lands ordered to be resumed in Mysore

No.

Office of the Deputy Commissioner,

Mysore District.

Dated, Mysore. 18th April 1918.

From

T. Chokkanna, Esquire B.A.,

Offg. Deputy Commissioner,

Mysore District

To

G. Aravamudu Iyengar Esquire, B. A., B.L.,

Joint-Secretary to the Government of

His highness the Maharaja of Mysore,

Mazrai Department, Bangalore.

Sir,

With reference to your Nos.1349 and 1713 Muz.261-14-18 dated 23rd December 1914 and 28th January 1918 forwarding for report petition from Basapoadevaru of Gachi Matt at Mysore and enquiring whether tangible securities have been obtained from the appellants (Mr.Putta Basavaraja Urs and others) before permitting them to continue in possession of the inam lands in question, I have the honor to submit herewith correspondence ending with Nanjangud Sub Division Officer's Yadi No.978 (written to date) and to state that the Amildar reports that the mutchalikas were obtained from the cultivators binding themselves to pay the landlord's share of the crops to the matt if the finding in appeal should be adverse to them. The cultivators further state that the landlord's share may be recovered from their properties if they fail to pay the same.

The petition received with the letter under advertance is herewith resubmitted.

I have the honor to be,
Sir,
Your most obedient servant,

Assistant Commissioner,
For Offg.Deputy Commissioner,
Mysore District.
(Absent from station).

Office of the Deputy Commissioner,

Mysore District,

Dated, Mysore, 28th May 1918.

From

K. Matthan, Esq., B.A.,

Deputy Commissioner,

Mysore District.

To

G. Aravamudu Iyengar, Esq., B.A., B.L.,

Joint Secretary to the Government of

His Highness the Maharaja of Mysore,

Muzrai Department, Bangalore.

Sir,

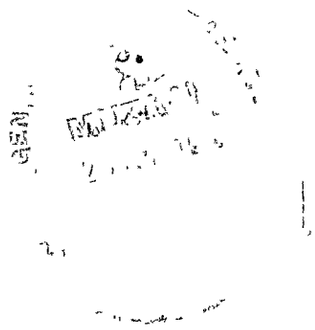
In continuation of this office D.O. No. 660 of 17-18 Muz. dated 8th May 1918, I have the honour to forward herewith yadi No. 1101 dated 21st/22nd May 1918 from the Sub Division Officer, Nanjangud Division, wherein it is stated that the documents referred to in para 4 of this office letter No. 125 dated 19th March 1918 re alienation of inam lands belonging to Gaodi matt at Mysore, are not available in the Nanjangud Taluk Records.

I have the honour to be,

Sir,

Your most obedient servant

Deputy Commissioner,
Mysore District.



W.D. 0241—GPB- 6,00,000—19-5-16—S.

1917-18

From

The Deputy Commissioner,

Mysore District.

To

The Joint Secretary to

Government, Muzrai &

Dated 28th May 1918.

Despatched 28th May 1918.

Received 04917

General No.

No.

Enclosure No.

Forwards herewith yadi from the Sub Dy
-Asst Officer Nanjangud stating that
documents are not available in the
Nanjangud Taluk Records

Read 6-6-18

Before the Government of His Highness the Maharaja of Mysore.

O.N. 24/11-12
Recd as per items from the Govt Mysore

Muzrai Appeal No. 21 of 1918

Et XXI
DA 21-2
26/2/

Appellant.

(1) Sindaw Putra Basava Raj urs,
(2) Lingaiah, madaih and others Ryots,
(Thro. mr m c Ranga Iyengar, Advocate)

Vs.

Respondent

Basappa Devaru of Gaalu matt thro mr B S Krishna Swamy Advocate

Subject.

Appeal against order no 60 Dy 16th Septr 1916 of the Dy Commr, Mysore Dist, directing the resumption of certain inam lands in Hadinaru village, Nanjangud taluk endowed to the Gaalu matt at Mysore and their restoration to the matt

Decision

This appeal which was heard before me finally on 1st June 1916, was remanded at the request of the parties, to the Dy Commr for taking such additional evidence as may be given.

GPB—1,000—8-8-11

present suit was instituted
by the respondent Though
he had been manager for
nearly 9 years by that time
the respt threw doubt
on the genuineness of certain
Exhibits produced by the apltt
but ~~[illegible]~~ the doubts
are not such as would
in any way vitiate the [illegible]
In these circumstances,
Suit are of opinion the
the respt. Though the
Mandavi, as manager
protem of the matt, has not
not exercised the full rights
of ownership at any time,
that the apltts are hadi...
tenants by virtue of their
uninterrupted enjoyment
for nearly Seventy years.
Now and that the respt
as such is only entitled
the revenue derivable

(G. R. S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

from the lands in question and has no power to eject the appellants at will.

The above is an extract from Revenue No 1717 Dy Nos 261-16-25 Enclg 16 V.P.P. (Bundle)

Copy to the Dy Commr, Mysore Dist, with the entire record received with correspondence ending with his letter no 164 Dy 7th May 1918

By order,

Sd/- Joint Secretary, Revenue Dept

20/12/18 1718-1719 d. 8.1.1919

Copies to the apltS and the respts, for information

~~The Counsels proceed~~

By order,

Joint Secretary, Revenue Dept

Sd/-

Secret

The order may be printed

AV. 12 12 18

Sd/- 20.12.18

GPB—20,000—7 7 14

Sd/- 20/12/18

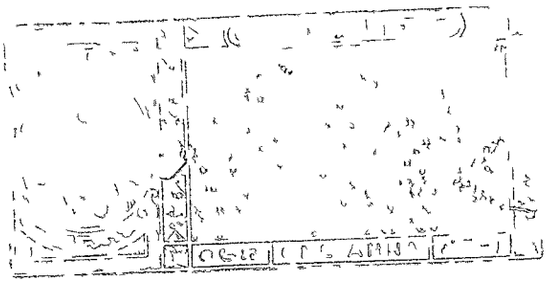
ry them and on re of
further repat, with -s,
the case was ~~again heard on~~
25th septr 1917 Subsequent
to its closing, the respondent
having produced a number of
documents, both the parties
were once again afforded an
~~opportunity and the case was~~
finally heard on

The principal appellant and
the respts were present and
also represented by Counsel.
The respondent also argued
on his own behalf.

After hearing the arguments
put forward and perusing the
documents on which the
parties base their respective
cases, Govt considers that
the lands granted under
the Sanad of 1827 were
occupied lands, that the
grantee - i.e. manager of the
mutt protem - exercised his
right only to the collection
of the revenue due to him,
that though there were
at times between
Lord and the Tenants

and the management changed hands on certain occasions, yet the appellants and their predecessors in title continued as tenants, that though the nature of the payment of revenue varied from time to time, yet there was no actual change of tenancy at the instance or under the authority of the land-lord and that the apltts and their predecessors in title have been in uninterrupted enjoyment of the lands from the time of the grant in 1827 It is ~~also~~ strange, as well as significant, that there should have been no transactions of any importance for the period from 1866 to 1907 in which latter year

GPB—20,000—7 7 14



2529

11-22

Side

The papers mentioned
have been flagged in the
file. They were presented
by Mr. BS Krishnaswamy
Dixitulu for the petrs. If
ordered it will be returned.

23.12.21

Return